Gazette EM: 3574

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands– Executive Instructions to the Revenue Officers on grant of Freehold Rights to assigned lands in terms of Act 35 of 2023 other important Revenue matters-Orders-Issued.

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REVENUE (LANDS.I) DEPARTMENT

G.O.Ms.No.596 **Dt.19.12.2023**

Read the following:

1)CCLA's Ref.No.Assn.I/2274631/2023, dated:23/11/2023.
2) C.R 405/2023, Dated : 15/12/2023.

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ORDER:

In the reference read above, the Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh has submitted a report including minutes of a state level workshop held on 21-11-2023, to the Government with a request to issue Executive Instructions to the Revenue Officers on Freehold rights to assigned lands in terms of Act 35 of 2023 as well as other important revenue matters.

2. The Government after careful examination of the matter hereby issue the following Executive Instructions to the District Collectors and all the Revenue Officers:

A. Dotted Lands:

About 1,12,000 Acres of Dotted Lands are assigned lands and hence were placed in 22(A)(1) (a) list of prohibited properties. Most of these assignments are more than 20 years old, since the lands were marked as dotted lands in the RSR several decades ago. The list of such lands shall be pushed to the login of the VRO who shall enter the year of assignment, which shall thereafter be verified by the Tahsildar, RDO and Joint Collector. The CCLA shall thereafter centrally amend the electronic revenue records for lands eligible under Act 35 of 2023, so as to reflect their freehold nature and removal from 22A list. Thereafter, the records shall be sent to the Tahsildar, who shall electronically sign them.

Further, District Collectors have already removed more than 2 Lakh Acres of dotted lands from the list of prohibited properties(Under section 22A(1)(e)) after a thorough exercise in accordance with the Dotted Lands Act 2017. The CCLA shall centrally amend the electronic revenue records of these lands so as to reflect their removal from 22A list and the fact that they are patta lands. Thereafter, these records shall be sent to the Tahsildar concerned, who shall electronically sign them.

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B. Village Service Inams:

Collectors have already completed the task of making village service Inam Lands freehold, after following the process prescribed using the online mechanism (Verified by VROs, Tahsildars, RDOs and Joint Collectors).

The CCLA shall centrally amend the electronic revenue records of these lands so as to reflect their removal from 22A list and the fact that they are patta lands. Thereafter, these records shall be sent to the Tahsildar concerned, who shall electronically sign them

C. Joint LPMs:

No Joint LPMs shall be created in any village where resurvey shall be taken up. In case any Joint LPM is requested by some ryots, the Tahsildar may record the statement of Landholders or their representatives and thereafter create the Joint LPM. Any request for splitting of Joint LPMs already created shall be promptly carried out following due procedure.

D. Mortgage:

If any assigned lands/house sites are otherwise eligible to be made freehold under Act 35 of 2023, the same shall not be denied merely on the ground that the said land is mortgaged.

E. Provisional Pattas:

Assigned Lands/House sites covered by previously issued provisional Pattas, which are eligible under Act 35 of 2023, shall be made freehold, irrespective of whether or not regular DKT Pattas have been subsequently issued, provided the assignees or their legal heirs are in physical possession of the said assigned Lands.

F. Lands under examination for eligibility in terms of Act 35 of 2023:

1. For a given land to be eligible under Act 35 of 2023, such land should find place as assigned land in any of the revenue records, including but not limited to Web-land Adangal/POLR/22A GOs of 2017/Old Adangal entries/Entries in 10(1) Registers/Entries in RoH maintained by the Registration Dept/Any other record available with the Revenue Dept/Pattadar Pass Book issued more than 20 years ago etc. Such assigned lands shall be made freehold in terms of Act 35 of 2023, if the assignee/legal heir is in physical possession of the said land. Districts should not deny the benefit of Act 35 of 2023 to assignees on the ground of any one record not being available in the Tahsildar's/Collector's office, since several records have been misplaced during the tumultuous changes that have taken place in Revenue Administration over the years.

2. If Ayan conversion has already taken place for water body/ Tope/Rastha/Grazing porambokes, and if the same lands are eligible under Act

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35 of 2023, such assigned lands/house sites shall be made freehold in terms of the Act. Even in cases where Ayan conversion has not been done, assigned lands eligible in terms of Act 35 of 2023 and falling under any of the exception clauses of the orders of the Hon'ble Supreme Court and orders of the Hon'ble High Court in WP(PIL) 140/2022, shall be made freehold.

3. In cases where D-Patta has been issued, but there is mismatch in survey number in possession & on record, the survey number of actual land in possession should be recorded in the assignment patta as well the revenue records. The date of assignment shall remain the old date of assignment for the purpose of making them freehold in terms of Act 35 of 2023.

4. Lands with Khata number >10,000/notional khatas and recorded as "Migulu" or any expression other than name of pattadar and not recorded as assigned, shall be re-verified to check whether they were assigned. If any such land is found to be assigned land and is eligible under Act 35 of 2023, the same shall be made freehold and name of pattadar be inducted into the electronic revenue records.

5. In cases where the fact of some lands being assigned has not been recorded in the online revenue records, provision shall be made in the AP-Seva system to receive applications for inclusion of such lands in the list of assigned lands, subject to verification. Verification of these lands shall thereafter be taken up as prescribed to check if the said lands are indeed assigned lands and whether they are eligible to be made freehold in terms of Act 35 of 2023. Eligible lands shall thereafter be made freehold.

6. Land recorded as forest in RSR, but where the said land is already assigned to landless poor for Agriculture/house-site purpose, and the same fact is also recorded in the Revenue records, and where notification under the AP Forest Act OR the Forest(Conservation) Act 1980 of the Government of India has not been issued– may be made freehold, if they are otherwise eligible in terms of Act 35 of 2023.

7. In cases of assigned lands eligible under Act 35 of 2023, which were mistakenly recorded as patta land, but however continued in 22A list, the Collector shall remove them from 22A list and record the expression, "Assigned prior to 2003 made freehold" in the remarks column of the online revenue records.

The entire exercise shall be completed within 4 weeks and the electronic revenue records in respect of assigned lands made freehold in terms of Act 35 of 2023, shall be centrally amended to reflect the same and shall be removed from the lists of prohibited properties under section 22A of the Registration Act 1908. Thereafter, the Tahsildar concerned shall electronically sign them

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3. Verification of eligibility of assigned lands under Act 35 of 2023 shall be carried out 100% by VROs, 100% by Tahsildars and 10% by RDOs, at which level verification shall be concluded. Collectors and Joint Collectors shall supervise the Task.

4. Board Standing Orders shall be suitably amended in accordance with the above instructions. The Special Chief Secretary & CCLA, all District Collectors and all Revenue officers in the state shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To

The Spl. CS & Chief Commissioner of Land Administration, A.P. 1st and 3rd Floors, APIIC Towers, Plot No.1, IT Park, Mangalagiri, 522 503, Guntur District.
The Commissioner, Appeals.
The Commissioner, Survey, Settlements and Land Records, Nagarjuna Nagar, Currency Nagar, Vijayawada, Andhra Pradesh - 520007.
All the District Collectors in the State of Andhra Pradesh.
All Revenue Officers in the State.

Copy to:

All Government Pleaders (Revenue).
The P.S. to Addl. Secretary to Hon'ble C.M.
The O.S.D. to Hon'ble Minister (Revenue).
The O.S.D to Chief Secretary.
The P.S. to Spl. Chief Secretary, Revenue (Lands) Department.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER